

amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2030. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2031. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1703 submitted by Ms. KLOBUCHAR (for herself, Mrs. CAPITO, Ms. CORTEZ MASTO, and Mr. SULLIVAN) and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2032. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2033. Ms. KLOBUCHAR (for herself, Mrs. CAPITO, Mr. SULLIVAN, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

**SA 1974.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

#### TITLE VI—MISCELLANEOUS

##### SEC. 3601. APPEAL OF ASSIGNMENT RESTRICTIONS OR PRECLUSION.

Section 414(a) of the Department of State Authorities Act, Fiscal Year 2017 (22 U.S.C. 2734c(a)) is amended by adding at the end the following: "Such right and process shall ensure that any employee subjected to an assignment restriction or preclusion shall have the same appeal rights as provided by the Department regarding denial or revocation of a security clearance. Any such appeal shall be resolved not later than 60 days after such appeal is filed."

**SA 1975.** Mr. WYDEN proposed an amendment to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; as follows:

At the end of title III of division F, add the following:

##### SEC. 6302. TRADE POLICY AND CONGRESSIONAL OVERSIGHT OF COVID-19 RESPONSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is imperative to promote the development and deployment of vaccines, including to address pandemics like the pandemic relating to COVID-19 and its variants;

(2) as a developed nation with a long-standing commitment to promoting global health, innovation, access to medicine, public welfare, and security, the United States will continue to use the resources and tools at its disposal to promote the distribution of life-saving COVID-19 vaccines to other countries;

(3) President Biden should continue to work with foreign governments, multilateral institutions, nongovernmental organizations, manufacturers, and other stakeholders to quickly identify and address, through targeted and meaningful action, obstacles to ending the COVID-19 pandemic, whether those obstacles are legal, regulatory, contractual, or otherwise;

(4) in any efforts to address trade-related obstacles to ending the COVID-19 pandemic, President Biden should consider how any action would complement the whole-of-government approach of the President to ending the COVID-19 pandemic worldwide, including how any action would impact competitiveness, innovation, and the national security of the United States in the short- and long-term;

(5) the President should strive to create the most appropriate balance between access to COVID-19 vaccines and therapeutics and generating an innovative environment in the United States;

(6) the President should take into account the efforts of malign nations or entities to obtain intellectual property of United States persons through forced technology transfer, theft, or espionage, and accordingly make all efforts to protect that intellectual property from such nations or entities; and

(7) in any efforts to address trade-related obstacles to ending the COVID-19 pandemic, Congress expects timely and meaningful consultations on any negotiations and any agreements or decisions reached regarding matters of concern to members of Congress and their constituents, including issues of competitiveness, innovation, and national security.

(b) TRADE POLICIES WITH RESPECT TO THE COVID-19 PANDEMIC.—

(1) IN GENERAL.—It is the policy of the United States to facilitate an effective and efficient response to the global pandemic with respect to COVID-19 by expediting access to life-saving vaccines, medicines, diagnostics, medical equipment, and personal protective equipment.

(2) ELEMENTS.—The United States Trade Representative shall pursue a timely, effective, and efficient response to the trade aspects of the COVID-19 pandemic, including by endeavoring to—

(A) expedite access to medicines and life-saving products through trade facilitation measures;

(B) obtain a reduction or elimination of nontariff barriers and distortions that impact the procurement of life-saving products;

(C) take action to increase access to COVID-19 vaccines globally, while avoiding providing access to intellectual property to nations or entities that seek to utilize the technology for other uses or that may otherwise pose a threat to national security;

(D) eliminate practices that adversely affect trade in perishable or temperature-sensitive products, and facilitate the transfer of materials and products in a manner that preserves their integrity;

(E) further strengthen the system of international trade and investment disciplines by demonstrating sufficient flexibility to respond to a global crisis while retaining a balanced approach to the rights of innovators;

(F) encourage greater cooperation between the World Trade Organization and other international organizations and public-private partnerships, including the World

Health Organization, the United Nations Children's Emergency Fund (commonly referred to as "UNICEF"), the World Bank, and Gavi, the Vaccine Alliance; and

(G) take into account other legitimate domestic policies of the United States, including health and safety, national security, consumer interests, intellectual property rights, and the laws and regulations related thereto.

(c) CONGRESSIONAL OVERSIGHT, CONSULTATIONS, AND ACCESS TO INFORMATION.—

(1) INTENT TO NEGOTIATE.—If the United States Trade Representative enters any negotiation pursuant to the trade policies described in subsection (b), the Trade Representative shall—

(A) submit to Congress and publish in the Federal Register a statement specifying the objectives of the United States in pursuing the negotiation; and

(B) submit to Congress an assessment of how and to what extent entering the negotiation will achieve the trade policies described in subsection (b).

(2) CONSULTATION AND BRIEFING BEFORE MAKING PROPOSALS.—Before making any textual proposal pursuant to the trade policies described in subsection (b), the United States Trade Representative shall—

(A) consistent with section 242 of the Trade Expansion Act of 1962 (19 U.S.C. 1872), consult with the heads of relevant Federal agencies, including the Secretary of Commerce, the Secretary of Health and Human Services, and the Secretary of Defense, which shall include, as appropriate, discussion of—

(i) the most effective means of addressing the COVID-19 pandemic and any variants to the COVID-19 virus, including by increasing the distribution of COVID-19 vaccines;

(ii) any sensitive technology or intellectual property rights related to the proposal;

(iii) any nations or entities of concern that may benefit from the proposal; and

(iv) other issues that may influence negotiations with respect to the proposal; and

(B) brief members of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the proposal, including with respect to how the objectives sought by the Trade Representative fit into a larger strategy of ending the COVID-19 pandemic.

(3) CONSULTATIONS DURING NEGOTIATIONS.—In the course of any negotiations pursuant to the trade policies described in subsection (b), the United States Trade Representative shall—

(A) upon request of any Member of Congress, provide access to pertinent documents relating to the negotiations, including classified materials;

(B) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, including by providing any relevant text proposals before discussing those proposals with negotiation participants;

(C) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Senate Advisory Group on Negotiations and the House Advisory Group on Negotiations convened under section 104(c) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4203(c)) and each committee of the Senate and the House of Representatives, and each joint committee of Congress, with jurisdiction over laws that could be affected by the negotiations; and

(D) follow the guidelines on enhanced coordination with Congress established pursuant to section 104(a)(3) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4203(a)(3)) regarding consultations with Congress, access

to text, and public engagement for the negotiations to the same extent as those guidelines apply to negotiations covered under that section.

(4) CONSULTATION WITH CONGRESS BEFORE CONCLUDING NEGOTIATIONS.—

(A) CONSULTATION.—Before either reaching a final agreement or exercising authority provided under section 122(b)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3532(b)(3)) pursuant to the trade policies described in subsection (b), the United States Trade Representative shall consult with—

(i) the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives;

(ii) each committee of the Senate and the House of Representatives, and each joint committee of Congress, with jurisdiction over laws that could be affected by the agreement or exercise of authority; and

(iii) the Senate Advisory Group on Negotiations and the House Advisory Group on Negotiations convened under section 104(c) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4203(c)).

(B) SCOPE.—In conducting consultation under subparagraph (A), the Trade Representative shall—

(i) provide the text of any proposed agreement for final consideration; and

(ii) consult with respect to—

(I) the nature of the agreement; and

(II) how and to what extent the agreement will achieve the trade policies described in subsection (b).

(d) DEFINITIONS.—In this section, the terms “World Trade Organization”, “WTO”, and “WTO member” have the meanings given those terms in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

**SA 1976.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 712, strike lines 12 through 17 and insert the following:

(4) the United States Government and other governments around the world must actively oppose racism and intolerance, and use all available and appropriate tools to combat the spread of anti-Asian racism and discrimination;

(5) the United States Government should not restrict the career opportunities of its employees on the basis of race, color, religion, sex, national origin, disability, or age; and

(6) the Department of State should expand the appeals process it makes available to employees related to assignment restrictions and preclusions.

**SA 1977.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic secu-

rity, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II of division C, add the following:

**SEC. 3219L. SENSE OF CONGRESS ON DEFENDING AUSTRALIA FROM ECONOMIC COERCION.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the alliance between the United States and Australia provides strategic, economic, and cultural value to both nations;

(2) the security and prosperity of each is vital to the future security and prosperity of both nations;

(3) the close, longstanding cooperation between the United States and Australia in strategic and military affairs is built on strong bonds of trust between the two nations that bolster security and stability in the Indo-Pacific;

(4) Australia is currently the target of a concerted campaign of economic coercion by the People's Republic of China aimed at punishing the government and people of one of the United States' closest allies for the exercise of their sovereign, democratic rights;

(5) the People's Republic of China has employed similar forms of economic coercion against other countries on many other occasions, not only within the Indo-Pacific but around the world;

(6) such a campaign, if successful, has the potential to undermine the sovereignty of Australia and the ability of the Government of Australia to act in concert with the United States toward the shared goal of a free and open Indo-Pacific; and

(7) the routine use of economic coercion by the People's Republic of China against Australia and other countries undermines those countries' ability to speak or act in defense of their own sovereignty, democratic values, and human rights, and is therefore a threat to a free and open global order.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to stand with Australia in its moment of need, providing relevant support to the Government and people of Australia to mitigate the costs of economic coercion by the People's Republic of China to the greatest extent possible;

(2) to work with the Government of Australia and other allies and partners to coordinate collective, cooperative responses to both threatened and actual instances of economic coercion by the People's Republic of China; and

(3) to devise a strategy to guide the implementation of such responses, and to put in place the appropriate personnel, mechanisms, and collective structures to facility their effectiveness.

**SA 1978.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1071, strike line 3 and all that follows through page 1075, line 3, and insert the following:

(8) Coordinating with relevant third countries to identify other avenues to assist the partner country, minimize beggar-thy-neighbor trade disruptions, and build shared awareness of and resilience to economic coercion.

(b) INSTITUTIONAL SUPPORT.—The pilot program required by subsection (a) should include the following elements:

(1) Identification and designation of relevant personnel within the United States Government with expertise relevant to the objectives specified in subsection (a), including personnel in—

(A) the Department of State, for overseeing the economic defense response team's activities, engaging with the partner country government and other stakeholders, and other purposes relevant to advancing the success of the mission of the economic defense response team;

(B) the United States Agency for International Development, for the purposes of providing technical, humanitarian, and other assistance, generally;

(C) the Department of the Treasury, for the purposes of providing advisory support and assistance on all financial matters and fiscal implications of the crisis at hand;

(D) the Department of Commerce, for the purposes of providing economic analysis and assistance in market development relevant to the partner country's response to the crisis at hand, technology security as appropriate, and other matters that may be relevant;

(E) the Department of Energy, for the purposes of providing advisory services and technical assistance with respect to energy needs as affected by the crisis at hand;

(F) the Department of Homeland Security, for the purposes of providing assistance with respect to digital and cybersecurity matters, and assisting in the development of any contingency plans referred to in paragraphs (3) and (6) of subsection (a) as appropriate;

(G) the Department of Agriculture, for providing advisory and other assistance with respect to responding to coercive measures such as arbitrary market closures that affect the partner country's agricultural sector;

(H) the Office of the United States Trade Representative with respect to providing support and guidance on trade and investment matters; and

(I) other Federal departments and agencies as determined by the President.

(2) Negotiation of memoranda of understanding, where appropriate, with other United States Government components for the provision of any relevant participating or detailed non-Department of State personnel identified under paragraph (1).

(3) Negotiation of contracts, as appropriate, with private sector representatives or other individuals with relevant expertise to advance the objectives specified in subsection (a).

(4) Development within the United States Government of—

(A) appropriate training curricula for relevant experts identified under paragraph (1) and for United States diplomatic personnel in a country actually or potentially threatened by coercive economic measures;

(B) operational procedures and appropriate protocols for the rapid assembly of such experts into one or more teams for deployment to a country actually or potentially threatened by coercive economic measures; and

(C) procedures for ensuring appropriate support for such teams when serving in a country actually or potentially threatened by coercive economic measures, including, as